REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	28 November 2003
Name of applicant/court:	The District Court at Manukau
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	16) A13284\c017.jpg
Other Known Title(s):	Not Stated
Director(s):	Not Applicable
Producer(s):	Not Applicable
Publisher:	Not Stated
Author(s):	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Stated
Language(s):	Not Applicable

Components of film originally examined: Not Applicable.

Feature: Running Time:

Trailers: Running Time:

Total Running Time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Unrestricted.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *16) A13284\c017.jpg* is classified as:
Unrestricted.

The computer image file contains a colour photographic image depicting a young woman urinating. She is fully clothed, and although her genitals are partially visible as a result of her underwear having been pushed down to allow her to crouch and urinate, there is nothing overtly sexual about the image.

Having applied the test in the Court of Appeal decision of *Living Word v Human Rights Action Group (Wellington*), the Office of Film and Literature Classification (Classification Office) considers that the publication cannot fairly be described as dealing with matters such as sex or any other matters under s3(1) of the Films, Videos, and Publications Classification Act 1993. The Classification Office therefore has no jurisdiction to determine whether the publication is "objectionable" or "objectionable except in particular circumstances", and the publication must be classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.

OFLC No: 301325